

REMARKS

The Office Action dated July 29, 2008, has been received and carefully reviewed. The preceding amendments and the following remarks form a full and complete response thereto. Claims 1, 8, and 9 are amended as to matters of form only. Claim 11 is added. No new matter is added. Claims 1-11 are pending in the application and are submitted for reconsideration.

Objections to the Specification

The Examiner objected to cited portions of the specification. Applicants submit that the foregoing amendment to the specification overcomes the Examiner's objection. Support for the amendment is found, inter alia, in the amended paragraphs and, as noted by the Examiner, in the figures. No new matter is added. In view of the amendment, Applicants request that the objection be withdrawn.

Objections to the Claims

The Examiner objected to the term "CNG" in claim 1. Applicants have amended claim 1 to remove recitation of CNG and submit that the objection is moot and request that it be withdrawn.

The Examiner objected to claim 10 as being dependent upon rejected base claim 9. Applicants submit that the foregoing amendment to claim 9 and the following remarks overcome the rejection of claim 9 and request that the objection to claim 10 be withdrawn.

Rejections under 35 U.S.C. § 112

The Examiner rejected claims 1, 6, 7, and 9 under 35 U.S.C. § 112, second paragraph, as being indefinite. With regard to claims 1 and 9, the Examiner contended that the phrase "such as" rendered the claims indefinite. Applicants have amended claims 1 and 9 to remove the phrase "such as" and submit that the rejection is overcome and request that it be withdrawn.

The Examiner rejected claims 6 and 7, contending that the terms "turbulent flow" and "laminar flow" are unclear. Applicants submit that the terms are well known to persons of ordinary skill in the art. As evidence of meanings consistent with the understandings of persons of ordinary skill in the art, Applicants submit

herewith, encyclopedia articles for turbulence and laminar flow. In view of the well known meanings of these terms, Applicants submit that the terms do not render claims 6 and 7 indefinite and that the rejection is improper. Applicants request that the rejection be withdrawn.

Rejections under 35 U.S.C. § 102

The Examiner rejected claims 1-9 under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. App. Pub. 2004/0218336 by Schutz. Applicants submit that the rejection is improper because Schutz fails to disclose each of the limitations of the claims.

For example, the rejection of independent claim 1 and dependent claims 2-8 is improper because Schutz fails to disclose fibre composite materials as recited in claim 1.

(A) Moreover, Schutz fails to disclose “the fluid container (10), at its upper end, is provided with a valve means (18) forming a part of the fluid container (10)” as recited in claim 1. The Examiner admitted that the claimed structure is not disclosed by Schutz inasmuch as the Examiner added inapposite characterizations in an attempt to meet the claim language. In particular, the Examiner contended that Schutz discloses “the fluid container (1), at it [sic] upper end, is provided with a valve means (i.e. the valve (12) is located at the upper end of the base section (49) forming a part of the fluid container.” Office Action para. 13 (emphasis added). In essence, the Examiner is contending that Schutz’s valve (12) is located on the base section of the fluid container. Notably, Schutz FIG. 1 reference no. 7 is defined as the “bottom” of the container and this “bottom” is illustrated as being higher than “base section (49)” (Schutz defines reference no. 49 as “corner” legs 49). See Schutz FIG. 1, paras. [0016], [0017], [0026]. Clearly, the broadest reasonable interpretation of the upper end of a fluid container does not include the base of a fluid container, its bottom, or its legs. Thus, the rejection of claim 1 and independent claims 2-8 is improper for at least these reasons.

The rejection of claim 1 and independent claims 2-8 is improper for the additional, independent reason that Schutz fails to disclose “a valve means (18) forming a part of the fluid container (10), through which fluid filling and discharging occur” as recited in claim 1. The Examiner contended that Schutz reference no. 12 discloses the claimed valve and that para. [0005] discloses fluid filling and

discharging therethrough. This contention is erroneous for at least two reasons. First, Schutz fails to disclose a valve through which fluid filling occurs. Second, Schutz para. [0005] is not describing the figures of Schutz; para. [0005] is describing a prior art reference, a description which, moreover, fails to describe a valve through which fluid filling occurs. In contrast, the container described by Schutz and illustrated in the figures has, at its upper end, a filling socket 9 that can be closed by a screw cap 10. See para. [0016]. It is respectfully submitted that filling socket 9 is not a means through which fluid filling and discharging occur and, moreover, there is no valve associated with said filling socket 9. According to Schutz, liquid is filled through the filling socket 9 and discharged through a separate butterfly valve or ball valve 12, arranged at the lower end of the container at outlet socket 11. See id. Because Schutz fails to disclose a valve means “through which fluid filling and discharging occur” as recited in claim 1, the rejection of independent claim 1 and dependent claims 2-8 is improper.

(B) The rejection of claim 1 and dependent claims 2-8 is improper for the additional, independent reason that Schutz fails to disclose “the valve means (18); said means substantially reducing the fluid velocity and/or changing the direction of the fluid flow during filling” as recited in claim 1. As discussed above, Schutz fails to disclose filling through a valve and, therefore, cannot disclose a valve reducing fluid velocity or changing direction of fluid flow during filling as claimed. Moreover, Schutz fails to disclose any means by which fluid velocity is reduced or fluid direction is changed during at any time, filling or emptying. Schutz recognizes liquid flow speed is an issue, see para. [0011] at 2, but makes no disclosure about changing liquid flow speed. Also, the Examiner has conceded that “the prior art does not teach or suggest wherein the direction of fluid flow at the outlet of the valve means is changed from an axial direction ... to a lateral direction ... then changed back to a flow in said axial direction.” See Office Action para. 21. Applicants submit that Schutz furthermore fails to disclose any change of direction of fluid flow—lateral, axial, or otherwise. Thus, the rejection of claim 1 and independent claims 2-8 is improper for this additional, independent reason.

Thus, for at least the foregoing reasons, the rejection of independent claim 1 and dependent claims 2-8 is improper and Applicants request that it be withdrawn.

The rejection of claim 9 is improper because Schutz fails to disclose a “method for preventing or reducing build-up of electrical and/or electrostatic potential

during filling of a fluid in a container” as recited in claim 9. Schutz fails to describe filling except to note that liquid friction during filling can create electrical charges. See paras. [0005], [0011]. No manner of filling is provided by Schutz and therefore Schutz cannot disclose a method of reducing electrostatic potential during filling.

Moreover, Schutz fails to disclose a “fluid being filled at a pressure into the container ... so that the flow into the container (10) preferably to a largest possible degree is depressurized” as recited in claim 9. In contrast, Schutz discloses a “filling socket 9 that can be closed by a screw cap 10,” para. [0016], implying an absence of filling at a pressure and depressurizing a flow. The Examiner failed to make even an assertion that these claim limitations are disclosed by Schutz.

The rejection of claim 9 is improper for the additional, independent reason that Schutz fails to disclose “the fluid being filled ... through a valve means (18) arranged at the upper end of the container” as recited in claim 9. See discussion above in paragraph (A).

The rejection of claim 9 is improper for the additional, independent reason that Schutz fails to disclose “fluid being filled ... through a valve means ... wherein the valve means (18) is provided with a passage (21), characterized in that the fluid is made to change direction of flow at least once at the upper end of the container (10) ... and wherein the velocity of liquid flowing into the container (10) is reduced” as recited in claim 9. As discussed above in paragraph (B), these limitations are not found in Schutz.

Thus, for at least the foregoing reasons, the rejection of claim 9 is improper and Applicants request that it be withdrawn.

The rejection of claim 2 is improper for the additional, independent reason that Schutz fails to disclose “a collar or a cavity (20) is arranged in the fluid container” as recited in claim 2. In contrast, the elements of Schutz cited by the Examiner are external to container body 23 and interior 26. It is respectfully submitted that reference no. 42, cited by the Examiner, does not form an integral part of container 1, 2, but a part of the tap housing. Applicants request that the rejection of claim 2 be withdrawn at least for this addition, independent reason.

The rejection of claim 4 is improper for the additional, independent reason that Schutz does not disclose “a surface surrounding the valve means (18), against which surface the fluid is intended to hit in order to change the direction of flow and/or the velocity of flow into a more or less transverse direction of flow” with respect to the

inlet flow when filled into the container through the filling and discharging valve at the top of the container. None of the surfaces cited by the Examiner are disclosed to change the direction of flow and/or velocity. Applicants request that the rejection of claim 4 be withdrawn for this independent, additional reason.

The rejection of claim 5 is improper for the additional, independent reason that Schutz fails to disclose “means for reducing and/or preventing build-up of electrical and/or electrostatic potential comprises nozzles or openings (23) which completely or partly pulverize the liquid flow” as recited. The Examiner relies upon Schutz reference 29 (“central flow opening”) as disclosing this limitation; however, this opening cannot pulverize a liquid flow. Applicants request that the rejection of claim 5 be withdrawn for this independent, additional reason.

Claims 6 and 7 are patentable over Schutz for the additional, independent reasons that Schutz fails to disclose turbulence or laminar flow properties. The Examiner relies upon Schutz para. [0020], but this paragraph makes no mention of flow properties. Because these limitations are not disclosed in Schutz, the rejections are improper and Applicants request that they be withdrawn.

New Claim 11

Applicants submit new claim 11 for examination. Support for claim 11 is found, inter alia, in original claim 1 and the two paragraphs beginning on line 10 of page 4. Claim 11 is patentable over Schutz at least because Schutz fails to disclose fibre composite materials and a valve means provided with ducts and restrictions being configured to substantially reduce the fluid velocity and/or change the direction of fluid flow during filling.

In view of the above, all objections and rejections have been sufficiently addressed. Applicants submit that the application is now in condition for allowance and requests that the claims be allowed and this application passed to issue.


In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02 2135.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to

arrange for an interview to expedite the disposition of this application.

Respectfully submitted,

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Date


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